

REMARKS

Claims 1-32 are pending. Of these, claims 1, 5, 15, 19, 24 and 26 are written in independent format.

§ 103 REJECTION – '468 PATENT + '610 PATENT

Beginning on page 2 of the Office Action, claims 1-2, 8-16, 22-25 and 28-32 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,717,468 to Jeong et al. ("the Jeong '468 patent") in view of U.S. Patent No. 6,903,610 to Aoki et al. ("the Aoki '610 patent"). This rejection is traversed.

The Examiner acknowledges that distinctions over the Jeong '468 patent include the pull-up and pull-down transistors as well as the control circuit. However, the Examiner believes that such features are taught by the Aoki '610 patent, and further believes that the skilled artisan would have modified the Jeong '468 patent according to the Aoki '610 patent with the result corresponding to the subject matter of the rejected claims. Applicant disagrees.

For the sake of discussion, it will be assumed that some portion of the Jeong '468 patent would have been modified according to some portion of the Aoki '680 patent. The result of the asserted combination, however, is different than what is recited by the rejected claims, as explained below.

In FIG 2, the Aoki '610 patent depicts an operational amplifying circuit 1A that includes an operational amplifier ("op-amp") 11 whose output is indirectly connected (via diode-connected MOS transistors 16 and 17) to gate-current control circuits 3A & 4A as well as the gate electrodes of push-pull transistors 23 & 24, respectively. While control circuits 3A & 4A help transistors 23 & 24 to turn off more quickly, control circuits 3A & 4A do not selectively actuate transistors 23 & 24; see column 8, lines 29-33 and 50-57.

Rather, transistors 23 & 24 of the Aoki '610 patent are selectively actuated by the output of op-amp 11. More particularly, the output voltage of op-amp 11 is

connected to the gate electrodes of transistors 35 & 45 and 23 & 24; see column 8, lines 1-4. If the output voltage of op-amp 11 is low/high, transistors 23 & 24 are caused to turn off & on/on & off, respectively; see column 8, lines 5-8 and 34-38.

At least one distinction over the Aoki '610 patent (and thus over its combination with the Jeong '468 patent) of claim 1 is a control circuit (separate from the operational amplifier) to selectively actuate the pull-up transistor and the pull-down transistor, respectively. As explained above, the Aoki '610 patent teaches that op-amp 11 actuates transistors 23 & 24, not a separate control circuit, i.e., not control circuits 3A & 4A.

Independent claims 15 and 24 recite features similar to the at-least-one distinction of claim 1 explained above, respectively. Claims 2, 8-14, 16, 22-23, 25 and 28-32 depend at least indirectly from claims 1, 15 and 24, respectively, and thus at least similarly distinguish over the combination of the Jeong '468 patent and the Aoki '610.

By not disclosing all of the claimed elements, the applied combination of the Jeong '468 patent and the Aoki '610 patent represents an improper basis for an obviousness rejection.

In view of the foregoing discussion, withdrawal of the rejection is requested.

ALLOWABLE SUBJECT MATTER

Applicant is pleased to acknowledge that the Examiner has allowed claims 5-7, 19-21 and 26-27.

Applicant is please to acknowledge the Examiner's indication that claims 3-4 and 17-18 would be allowable if rewritten in independent form.

CONCLUSION


The issues raised in the Office Action are considered to be resolved. Accordingly, Applicant again requests a Notice of Allowance.

If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to contact the undersigned.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge any underpayment or non-payment of any fees required under 37 C.F.R. §§ 1.16 or 1.17, or credit any overpayment of such fees, to Deposit Account No. 08-0750, including, in particular, extension of time fees.

Respectfully submitted,

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